

# The THIRD DEGREE

A Narrative of  
Metropolitan  
Life

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## SYNOPSIS.

**CHAPTER I.**—Howard Jeffries, banker's son, under the evil influence of Robert Underwood, fellow student at Yale, leads a life of dissipation, marries the daughter of a gambler who died in prison, and is disowned by his father. Forced to leave college, he tries to get work and fails. His wife, Annie, is straight as a die, and has a heart of gold. A former college chum makes a business proposition to Howard which requires \$2,000 cash, and Howard is broke.

**CHAPTER II.**—Robert Underwood, who had made love to Annie in his college days and was repulsed, and was once engaged to Howard's stepmother, Alicia, is a welcome visitor at the Jeffries home. Underwood has apartments in the Astoria, an exclusive apartment house. Howard recalls a \$50 loan to Underwood that remains unpaid and decides to ask him for the \$2,000 he needs.

**CHAPTER III.**—Mrs. Jeffries, Sr., foolishly encourages a dangerous intimacy with Underwood which the latter takes advantage of until he becomes a sort of social highwayman. Discovering his true character, Mrs. Jeffries denies him the house.

**CHAPTER IV.**—Alicia receives a note from Underwood threatening suicide unless she revokes her sentence of banishment. She decides to go and see him.

**CHAPTER V.**—Underwood is in desperate financial straits. Merchants for whom he has acted as commissioner in the sale of art treasures demand an accounting. Underwood cannot make good. Howard Jeffries calls at Underwood's apartments in an intoxicated condition.

**CHAPTER VI.**—He asks Underwood for \$2,000 and is told the latter is in debt up to his eyes. Howard drinks himself into a maudlin condition and finally goes to sleep on a divan. A caller is announced and Underwood draws a screen around the drunken sleeper. Alicia enters.

**CHAPTER VII.**—She demands from Underwood a promise that he will not take his life, pointing to the disgrace that would attach to herself from having been associated with a suicide. Underwood refuses to promise unless she will renew her patronage. This she refuses to do, and takes her leave. Underwood turns out the lights, places a pistol at his temple, and fires.

**CHAPTER VIII.**—The report of the pistol awakens Howard from his drunken slumber. He stumbles over the dead body of Underwood. Realizing his serious predicament, he starts to leave the room and is met by Underwood's valet. The latter discovers the body, raises an alarm and Howard is turned over to the police.

**CHAPTER IX.**—Capt. Clinton, notorious for his brutal treatment of prisoners, puts Howard through an ordeal known in police parlance as the third degree.

**CHAPTER X.**—After being compelled to stand in one position for five hours while the building captain hurled questions at him, Howard is practically hypnotized when the shining revolver is flashed in his eyes, and mechanically repeats after the captain what purports to be a confession of murder.

**CHAPTER XI.**—Alicia declares her faith in her husband's innocence, despite the alleged confession, and says she will clear him if it takes everything she possesses in the world.

**CHAPTER XII.**—She pleads with Howard's father to come to his son's assistance. He refuses to do so unless Annie will consent to a divorce and promise to leave the country, never to return. To save Howard she consents. When she finds that Jeffries does not intend to come out publicly and stand by his son, but merely to give financial assistance, she declines his help.

**CHAPTER XIII.**—Annie appeals to Judge Brewster, a lawyer of international reputation and attorney for the old Jeffries, to take the case, but he declines.

**CHAPTER XIV.**—Annie haunts Brewster's office. A report that she is going on the stage brings the banker and his wife to the lawyer to find some way to prevent it. Brewster promises Jeffries that he will not take his son's case.

**CHAPTER XV.**—Annie again pleads with Brewster to take Howard's case. He consents.

**CHAPTER XVI.**—Alicia is almost panic-stricken when informed by Annie that Brewster has taken up the case and has a dozen detectives hunting for the mysterious woman who called on Underwood the night of his death. Alicia confesses to Annie that she was the caller, and that she has the letter in which Underwood threatened suicide, but begs her to give her a few hours before revealing the information.

**CHAPTER XVII.**—Judge Brewster plans a meeting at his home at which he accuses Capt. Clinton of having forced an untrue confession from Howard. Annie agrees to produce the missing witness at the gathering.

me help you." Extending she said: "Will you?"

Annie grasped the proffered hand. It was the first that had been held out to her in her present trouble. A lump rose in her throat. Much affected, she said:

"It's the first kind word that—" She stopped and looked closely for a moment at Alicia. Then she went on: "It's the queerest thing, Mrs. Jeffries, but it keeps coming into my mind. Howard told me that while he was at Underwood's that dreadful night he thought he heard your voice. It must have been a dream, of course, yet he thought he was sure of it. Your voice—that's queer, isn't it? Why—what's the matter?"

Alicia had grown deathly pale and staggered against a chair. Annie ran to her aid, thinking she was ill.

"It's nothing—nothing!" stammered Alicia, recovering herself.

Fearing she had said something to

hurt her feelings, Annie said sympathetically:

"I haven't said anything—anything out of the way—have I? If I have I'm sorry—awfully sorry. I'm afraid—I've been very rude and you've been so kind!"

"No, no!" interrupted Alicia quickly. "You've said nothing—done nothing—you've had a great deal to bear—a great deal to bear. I understand that perfectly." Taking her companion's hand in hers, she went on: "Tell me, what do they say about the woman who went to see Robert Underwood the night of the tragedy?"

"The police can't find her—we don't know who she is." Confidently she went on: "But Judge Brewster will find her. We have a dozen detectives searching for her. Capt. Clinton accused me of being the woman—you know he doesn't like me."

The banker's wife was far too busy thinking of the number of detectives



"I Believed Howard Guilty. Why Shouldn't I?"

employed to find the missing witness to pay attention to the concluding sentence. Anxiously she demanded:

"Supposing the woman is found, what can she prove? What difference will it make?"

"All the difference in the world," replied Annie. "She is a most important witness." Firmly she went on: "She must be found. If she didn't shoot Robert Underwood, she knows who did."

"But how can she know?" argued Alicia. "Howard confessed that he did it himself. If he had not confessed it would be different."

"He did not confess," replied the other calmly. "Mrs. Jeffries—he never confessed. If he did, he didn't know what he was saying."

Alicia was rapidly losing her self-possession.

"Did he tell you that?" she gasped. Annie nodded.

"Yes, Dr. Bernstein says the police forced it out of his tired brain. I made Howard go over every second of his life that night from the time 'Will you tell Judge Brewster or shall I?'"

"Judge Brewster! Why should he know?" cried Alicia, startled. More composedly and as if resigned to the inevitable, she went on: "Yes, I suppose he must know sooner or later, but, I—"

She broke down again and burst into tears. Annie watched her in silence.

"It's tough—Isn't it?" she said sympathetically.

"Yes," sobbed Alicia through her tears, "it's—It's tough!" Rising, she dried her eyes and said hastily: "Don't say anything now. Give me a few hours. Then I can think what is best to be done."

Annie was about to reply when the office door suddenly opened and Judge Brewster entered. Addressing Alicia, he said:

"Pardon me, Mrs. Jeffries, I hope I haven't kept you waiting." Noticing her agitation and traces of tears, he looked surprised. He made no comment but turned to Annie:

"I have been talking to Dr. Bernstein over the phone."

Annie approached him softly and said in a whisper:

"I've told Mrs. Jeffries that you have undertaken Howard's defense."

Judge Brewster smiled at his wealthy client, almost apologetically. Annie thought. Then addressing her, he said:

"Yes, I've been quite busy since I saw you. I have put three of the best detectives we have on the trail of the woman who visited Underwood that night. I don't think the police have been trying very hard to find her. They're satisfied with Howard's confession. But we want her and we'll get her—"

"Oh!" gasped Alicia.

The judge was proceeding to tell of other steps he had taken when the door opened and the head clerk entered, followed by Mr. Jeffries.

"I told Mr. Jeffries that Mrs. Jeffries was here," said the clerk.

"You might have told him that there were two Mrs. Jeffries here," laughed the judge.

The clerk retired and the banker, completely ignoring the presence of his daughter-in-law, turned to his wife and said:

"I regret, my dear, that you should be subjected to these family annoyances."

Judge Brewster came forward and cleared his throat as if preliminary to something important he had to say. Addressing the banker, he said boldly:

"Mr. Jeffries, I have decided to undertake Howard's defense."

His aristocratic client was taken completely by surprise. For a moment he could say nothing, but simply stared at the lawyer as if unable to believe his ears. With an effort he at last exclaimed:

"Indeed!—then you will please consider our business relations to have ceased from this moment."

The lawyer bowed.

"As you please," he said suavely. The banker turned to his wife.

"Alicia—come."

He offered his arm and turned toward the door. Alicia, in distress, looked back at Annie, who nodded reassuringly to her. Judge Brewster rose and, going to the door, opened it. The banker bowed stiffly and said:

"Pray don't trouble. Good morning, sir."

As Alicia followed her husband out, she turned and whispered to Annie: "Come and see me at my home."

When she had disappeared the judge came back into the room and sat down at his desk.

"Well, that's done!" he exclaimed with a sigh of relief. Rummaging for a moment among his papers, he looked up and said with an encouraging smile:

"Now, if you please, we will go over that evidence—bit by bit."

## CHAPTER XVII.

The news that Judge Brewster would appear for the defendant at the approaching trial of Howard Jeffries went through the town like wildfire, and caused an immediate revival in the public interest, which was beginning to slacken for want of hourly stimulation. Rumor said that there had been a complete reconciliation in the Jeffries family, that the banker was now convinced of his son's innocence, and was determined to spend a fortune, if necessary, to save him. This and other reports of similar nature were all untrue, but the judge let them pass without contradiction. They were harmless, he chuckled, and if anything, helped Howard's cause.

Meantime he himself had not been idle. When once he made up his mind to do a thing he was not content with half measures. Night and day he worked on the case, preparing evidence, seeing witnesses and experts, until he had gradually built up a bulwark of defense which the police would find difficult to tear down. Yet he was not wholly reassured as to the outcome until Annie, the day following the interview in his office, informed him breathlessly that she had found the mysterious woman. The judge was duly elated; now it was plain sailing, indeed! There had always been the possibility that Howard's confession to the police was true, that he had really killed Underwood. But now they had found the one important witness, the mysterious woman who was in the apartment a few minutes before the shooting and who was in possession of a letter in which Underwood declared his intention of shooting himself, doubt was no longer possible. Acquittal was a foregone conclusion. So pleased was the judge at Annie's find that he did not insist on knowing the woman's name. He saw that Annie preferred, for some reason, not to give it—even to her legal adviser—and he let her have her way, exacting only that the woman should be produced the instant he needed her. The young woman readily assented. Of course, there remained the "confession," but that had been obtained unfairly, illegally, fraudulently. The next important step was to arrange a meeting at the judge's house at which Dr. Bernstein, the hypnotic expert, would be present and to which should be invited both Capt. Clinton and Howard's father. In front of all these witnesses the judge would accuse the police captain of browbeating his prisoner into making an untrue confession. Perhaps the captain could be argued into admitting the possibility of a mistake having been made. If, further, he could be convinced of the existence of documentary evidence showing that Underwood really committed suicide he might be willing to recede from his position in order to protect himself. At any rate it was worth trying. The judge insisted, also, that to this meeting the mysterious woman witness should also come, to be produced at such a moment as the lawyer might consider opportune. Annie merely demanded a few hours' time so she could make the appointment and soon returned with a solemn promise that the woman would attend the meeting and come forward at whatever moment called upon.

Three evenings later there was an impressive gathering at Judge Brewster's residence. In the handsomely appointed library on the second floor were seated Dr. Bernstein, Mr. Jeffries and the judge. Each was absorbed in his own thoughts. Dr. Bernstein was puffing at a big black cigar; the banker stared vacantly into space. The judge, at his desk, examined some legal papers. Not a word was spoken.

Each Was Absorbed in His Own Thoughts.

ken. They seemed to be waiting for a fourth man who had not yet arrived. Presently Judge Brewster

looked up and said: "Gentlemen, I expect Capt. Clinton in a few minutes, and the matter will be placed before you."

Mr. Jeffries frowned. It was greatly against his wish that he had been dragged to this conference. Peevishly, he said:

"I've no wish to be present at the meeting. You know that and yet you sent for me."

Judge Brewster looked up at him quickly and said quietly yet decisively:

"Mr. Jeffries, it is absolutely necessary that you be present when I tell Capt. Clinton that he has either willfully or ignorantly forced your son to confess to having committed a crime of which I am persuaded he is absolutely innocent."

The banker shrugged his shoulders. "If I can be of service, of course, I—I am only too glad—but what can I say—what can I do?"

"Nothing," replied the judge curtly. "But the moral effect of your presence is invaluable." More amiably he went on: "Believe me, Jeffries, I wouldn't have taken this step unless I was absolutely sure of my position. I have been informed that Underwood committed suicide, and to-night evidence confirming this statement is to be placed in my hands. The woman who paid him that mysterious visit just before his death has promised to come here and tell us what she knows. Now, if Capt. Clinton can be got to admit the possibility of his being mistaken it means that your son will be free in a few days."

"Who has given you this information?" demanded the banker skeptically.

"Howard's wife," answered the judge quietly. The banker started and the lawyer went on: "She knows who the woman is, and has promised to bring her here to-night with documentary proof of Underwood's suicide."

"You are depending on her?" he sneered.

"Why not?" demanded the judge. "She has more at stake than any of us. She has worked day and night on this case. It was she who aroused Dr. Bernstein's interest and persuaded him to collect the evidence against Capt. Clinton."

The banker frowned.

"She is the cause of the whole miserable business," he growled.

The door opened and the butler, entering, handed his master a card.

"Ah!" ejaculated the judge. "Here's our man! Show him up."

When the servant had disappeared Mr. Jeffries turned to his host. With a show of irritation he said:

"I think you put too much faith in that woman, but you'll find out—you'll find out."

Judge Brewster smiled.

"That's our object, isn't it, Mr. Jeffries—to find out?" he said sarcastically.

"What's the name of this mysterious witness?" exclaimed the banker testily. "If the police haven't been able to find her why should Howard's wife be able to do so? There was a report that she herself was—" He paused and added, "Did she tell you who it was?"

"No," said the judge dryly, "she will tell us to-night."

The banker bounded in his seat.

"You'll see," he cried. "Another flash in the pan. I don't like being mixed up in this matter—it's disagreeable—most disagreeable."

Dr. Bernstein puffed a thick cloud of smoke into the air and said quietly: "Yes, sir; it is disagreeable—but unfortunately it is life."

Suddenly the door opened and Capt. Clinton appeared, followed by his fidus Achates, Detective Sergeant Maloney. Both men were in plain clothes. The captain's manner was condescendingly polite, the attitude of a man so sure of his own position that he had little respect for the opinion of any one else. With an effort at amiability he began:

"Got your message, judge—came as soon as I could. Excuse my bringing the sergeant with me. Sit over there, Maloney." Half apologetically, he added "He keeps his eyes open and his mouth shut, so he won't interfere. How do, doctor?"

Maloney took a position at the far end of the room, while Dr. Bernstein introduced the captain to Mr. Jeffries.

"Yes, I know the gentleman. How do, sir?"

The banker nodded stiffly. He did not relish having to bobnob in this way with such a vulgarian as a grafting police captain. Capt. Clinton turned to Judge Brewster.

"Now, judge, explode your bomb! But I warn you I've made up my mind."

"I've made up my mind, too," retorted the judge, "so at least we start even."

"Yes," growled the other.

"As I stated in my letter, captain," went on the judge coolly, "I don't want to use your own methods in this matter. I don't want to spread reports about you, or accuse you in the papers. That's why I asked you to come over and discuss the matter informally with me. I want to give you a chance to change your attitude."

"Don't want any chance," growled the policeman.

"You mean," said the judge, peering at his vis a vis over his spectacles, "that you don't want to change your attitude?"

Capt. Clinton settled himself more firmly in his chair, as if getting ready for hostilities. Defiantly he replied: "That's about what I mean, I suppose."

"In other words," went on Judge Brewster calmly, "you have found this—this boy guilty and you refuse to consider evidence which may tend to prove otherwise."

"That's no business to consider at

allence," snapped the chief. "That's up to the prosecuting attorney."

"It will be," replied the lawyer sharply, "but at present it's up to you."

"Me?" exclaimed the other in genuine surprise.

"Yes," went on Judge Brewster calmly, "you were instrumental in obtaining a confession from him. I'm raising a question as to the truth of that confession."

Capt. Clinton showed signs of impatience. Shrugging his massive shoulders deprecatingly, he said:

"Are we going over all that? What's the use? A confession is a confession and that settles it. I suppose the doctor has been working his pet theory off on you and it's beginning to sprout."

"Yes," retorted the judge quickly, "it's beginning to sprout, captain!"

There was a sudden interruption caused by the entrance of the butler, who approached his master and whispered something to him. Aloud the judge said:

"Ask her to wait till we are ready."

The servant retired and Capt. Clinton turned to the judge. With mock deference, he said:

"Say, Mr. Brewster, you're a great constitutional lawyer—the greatest in this country—and I take off my hat to you, but I don't think criminal law is in your line."

Judge Brewster pursed his lips and his eyes flashed as he retorted quickly:

"I don't think it's constitutional to take a man's mind away from him and substitute your own, Capt. Clinton."

"What do you mean?" demanded the chief.

"I mean that instead of bringing out of this man his own true thoughts of innocence, you have forced into his consciousness your own false thoughts of his guilt."

The judge spoke slowly and deliberately, making each word tell. The police bully squirmed uneasily on his chair.

"I don't follow you, judge. Better stick to international law. This police court work is beneath you."

"Perhaps it is," replied the lawyer quickly without losing his temper. Then he asked: "Captain, will you answer a few questions?"

"It all depends," replied the other insolently.

"If you don't," cried the judge sharply, "I'll ask them through the medium of your own weapon—the press. Only my press will not consist of the one or two yellow journals you inspire, but the independent, dignified press of the United States."

The captain reddened.

"I don't like the insinuation, judge."

"I don't insinuate, Capt. Clinton," went on the lawyer severely. "I accuse you of giving an untruthful version of this matter to two sensational newspapers in this city. These scurrilous sheets have tried this young man in their columns and found him guilty, thus prejudicing the whole community against him before he comes to trial. In no other country in the civilized world would this be tolerated, except in a country overburdened with freedom."

Capt. Clinton laughed boisterously.

"The early bird catches the worm," he grinned. "They asked me for information and got it."

Judge Brewster went on:

"You have so prejudiced the community against him that there is scarcely a man who doesn't believe him guilty. If this matter ever comes to trial how can we pick an unprejudiced jury? Added to this foul injustice you have branded this young man's wife with every stigma that can be put on womanhood. You have hinted that she is the mysterious female who visited Underwood on the night of the shooting and openly suggested that she is the cause of the crime."

"Well, it's just possible," said the policeman with effrontery.

Judge Brewster was fast losing his temper. The man's insolent demeanor was intolerable. Half rising from his chair and pointing his finger at him, he continued:

"You have besmirched her character with stories of scandal. You have linked her name with that of Underwood. The whole country rings with

faustries about her. In my opinion, Capt. Clinton, your direct object is to destroy the value of any evidence she may give in her husband's favor."

The chief looked aggrieved.

"Why, I haven't said a word."

Turning to his sergeant, he asked: "Have I, Maloney?"

"But these sensation-mongers have!" cried the judge angrily. "You are the only source from whom they could obtain the information."

(To be continued.)



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